REMARKS

The application has been reviewed in light of the Office Action dated August 6, 2004. Claims 1-20 have been rejected. Claims 1 and 10 are independent. Claims 1-20 are pending.

The specification is objected because the term "What is claimed is" inserted in a wrong page. As requested by the examiner, the objected term has been deleted on page 26 and inserted on top of page 27.

Therefore, the Applicant respectfully requests that Examiner withdraw the above stated objection to the specification.

Claims 1-20 stand rejected under 35 U.S.C. § 102 as being unpatentable over Malek et al. (U.S. Patent No. 5,666,366). The applicant traverse this rejection for the following reason.

Applicants respectfully traverse the rejection of claim 1 over Malek et al, as instant claim 1 recites, *inter alia*, "A method for communicating between a plurality of **asynchronous** transmitting and receiving systems using digital streams arranged in multiple access frames, the method comprising: (a) in **a master system**, cycling **a counter** using a clock reference to generate a master count, and using the master count to establish **a master frame count**; (b) in **a slave system**, cycling **a counter** using a clock reference to generate a main count, and using the main count to establish **a main frame count**... from a difference between the master frame count and the main frame count of the slave system, determining a frame count offset value; (d) **establishing a slave frame count for the slave system by adding the offset value to the main frame count**, and thereby aligning the slave frame count of the slave system with the master frame count

and incrementing the slave frame count when the main count is incremented...(emphasis added). Similar features is also recited in independent claim 10.

Applicants respectfully submit that the specification at page 16, lines 12-24, describes the parameter of the frame counter, wherein the frame counters are used to count the various frames which are generated so that the master and slave systems will be processing the proper frames at the proper times. Further, the frame counter allows each system to know which frame is being analyzed so that the operations associated with that frame are completed rather than the operations associated with another frame either preceding or following the current frame of the system. The frame number is also used to generate the communication frequency utilized between the communication systems, wherein every packet uses a different frequency according to a Blue Tooth hop selection.

In contrast, the Malek et al discloses non-asynchronous system where each base stations are synchronized with each other so as to start and end a frame at the same time (Column 7, lines 19-24). To this end, the slave-base station receives, via an RF transmission, a frame sync pulse from the master base station corresponding to the beginning of a frame period, which is known as *a remote synch signal* (Column 7, lines 43-49). A locally generated frame-sync signal, derived from the received *Unique Word*, which is a fixed pattern used by the telephone handset to correlate against a received pattern and obtain synchronization of a lost to be received (See Column 6, lines 59-63), is generated. Then, the *local sync signal* and *remote sync signal* are applied to a phase comparator to determine the offset between the signals. No where in Malek et al does it teach or show how each system, either the master or slave system, includes its own counter so that slave system,

utilizing the master system frame count, determines an offset to its own main frame counter in order to update its frame counter offset, as recited in claims 1 and 10.

Accordingly, it is respectfully submitted that claims 1 and 10 are not anticipated by Malek et al.

Therefore, it is respectfully submitted that none of the present claims are anticipated by Malek et al. he other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Aaron Waxler
Registration No. 48,027

Date: November 8, 2004

By: Steve Cha
Attorney for Applicant
Registration No. 44,069

Mail all correspondence to:
Aaron Waxler, Registration No. 48,027
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9608
Fax: (914) 332-0615

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA. 22313 on November 8, 2004.

Steve Cha, Reg. No. 44,069
(Name of Registered Rep.)

(Signature and Date)